

**CHAP. 61.**—An Act Granting the consent of Congress to W. D. Comer and Wesley Vandercook to construct, maintain, and operate a bridge across the Columbia River between Longview, Washington, and Rainier, Oregon.

January 28, 1927.

[S. 3804.]

[Public, No. 574.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the consent of Congress is hereby granted to W. D. Comer and Wesley Vandercook, their heirs, legal representatives and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Columbia River at a point suitable to the interests of navigation, between a point at or near the city of Longview, in the county of Cowlitz, in the State of Washington, and a point at or near the city of Rainier, in the county of Columbia, in the State of Oregon, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters," approved March 23, 1906; and subject to the conditions and limitations contained in this Act. The construction of such bridge shall not be commenced nor shall any alterations of such bridge be made either before or after its completion until the plans and specifications for such construction or alterations have been first submitted to and approved by the Secretary of War, the Secretary of Commerce, and the Secretary of Agriculture, acting jointly, and they, acting jointly, shall determine whether the types, designs, and specifications thereof are adequate, based upon the proposed use, volume, and weight of traffic passing over such bridge, and whether the height and clearances of such bridge are adequate to protect the commerce on said Columbia River, and whether the location selected is feasible for the erection of such bridge without obstructions in navigation and without being detrimental to the development of interstate and foreign as well as domestic commerce moving to and from the Pacific Ocean on the Columbia River to the inland waters of the States concerned, and whether public convenience will be served by such bridge as a connecting link between the Federal aid highway systems of the States of Oregon and Washington. The said Secretaries, acting jointly, are empowered and, if requested to do so, are directed to hold public hearings for the full and complete determination of said precedent requirements.

**SEC. 2.** The said W. D. Comer and Wesley Vandercook, their heirs, legal representatives, and assigns, are hereby authorized to fix and charge tolls for transit over such bridge, and the rates so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in such Act of March 23, 1906.

**SEC. 3.** After the date of completion of such bridge, as determined by the Secretary of War, either the State of Washington, the State of Oregon, any political subdivision of either of such States, within or adjoining which such bridge is located, or any two or more of them jointly, may at any time acquire and take over all right, title, and interest in such bridge and approaches, and interests in real property necessary therefor, by purchase or by condemnation in accordance with the law of either of such States governing the acquisition of private property for public purposes by condemnation. If at any time after the expiration of twenty years after the completion of such bridge it is acquired by condemnation, the amount of damages or compensation to be allowed shall not include good will, going value, or prospective revenues or profits, but shall be limited to the sum of (1) the actual cost of constructing such bridge and approaches, less a reasonable deduction for actual depreciation in respect of such bridge and approaches, (2) the actual cost of acquiring such interests in real property, (3) actual financing and promotion costs (not to exceed 10 per centum of the sum of the cost

Columbia River.  
W. D. Comer and  
Wesley Vandercook  
may bridge, Longview,  
Wash., to Rainier,  
Oreg.

Vol. 43, p. 1052.

Construction.  
Vol. 34, p. 84.

Subject to approval  
of traffic capacity, etc.,  
by Secretaries of War,  
Commerce, and Agri-  
culture.

Not to obstruct navi-  
gation, commerce, etc.

Public hearings to be  
held.

Tolls authorized.

Vol. 34, p. 85.

Acquisition author-  
ized, after completion,  
by Washington, Ore-  
gon, etc.

Compensation, if ac-  
quired by condemna-  
tion.

Limitation.

of construction of such bridge and approaches and the acquisition of such interests in real property), and (4) actual expenditures for necessary improvements.

Right to acquire real estate, etc., for location, approaches, etc.

SEC. 4. There is hereby conferred upon the said W. D. Comer and Wesley Vandercook, their heirs, legal representatives, and assigns, all such rights and powers to enter upon lands and to acquire, condemn, appropriate, occupy, possess, and use real estate and other property needed for the location, construction, operation, or maintenance of such bridge, approaches, and terminals as are possessed by bridge corporations for bridge purposes in the States in which such real estate and other property are located, upon making proper compensation therefor, to be ascertained according to the laws of such States and the proceedings thereof may be the same as in the condemnation and expropriation of property in such States.

Condemnation proceedings.

Tolls under State, etc., operation.  
Rates applied to operation, sinking fund, etc.

SEC. 5. If such bridge shall be taken over and acquired by the States or political subdivisions thereof under the provisions of section 3 of this Act, the same may thereafter be operated as a toll bridge; in fixing the rates of toll to be charged for the use of such bridge the same shall be so adjusted as to provide, as far as possible, a sufficient fund to pay for the cost of maintaining, repairing, and operating the bridge and its approaches, to pay an adequate return on the cost thereof, and to provide a sinking fund sufficient to amortize the cost thereof within a period of not to exceed thirty years from the date of acquiring the same. After a sinking fund sufficient to pay the cost of acquiring such bridge and its approaches shall have been provided, the bridge thereafter shall be maintained and operated free of tolls, or the rates of toll shall be so adjusted as to provide a fund not to exceed the amount necessary for the proper care, repair, maintenance, and operation of the bridge and its approaches.

Maintenance as free bridge, etc., after amortizing of costs.

Right to sell, etc., conferred.

SEC. 6. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this Act is hereby granted to the said W. D. Comer and Wesley Vandercook, their heirs, legal representatives, and assigns, and any corporation to which such rights, powers, and privileges may be sold, assigned, or transferred, or which shall acquire the same by mortgage foreclosure or otherwise, is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such corporation.

Sworn statement of construction cost, etc., to be filed after completion.

SEC. 7. The said W. D. Comer and Wesley Vandercook, their heirs, legal representatives, and assigns, shall, within ninety days after the completion of such bridge, file with the Secretary of War a sworn itemized statement showing the actual original cost of constructing such bridge and approaches, including the actual cost of acquiring interests in real property and actual financing and promotion costs. Within three years after the completion of such bridge the Secretary of War shall investigate the actual cost of such bridge, and for such purpose the said W. D. Comer and Wesley Vandercook, their heirs, legal representatives, and assigns, shall make available to the Secretary of War all of their records in connection with the financing and construction thereof. The findings of the Secretary of War as to such actual original costs shall be conclusive.

Investigation by Secretary of War.

Findings of Secretary conclusive.

Amendment.

SEC. 8. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, January 28, 1927.

January 29, 1927.  
[S. 1857.]  
[Public, No. 575.]

CHAP. 62.—An Act To confer jurisdiction on the Court of Claims to certify certain findings of fact, and for other purposes.

Longevity pay of Army officers. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Court of*